

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDS SDNY
DOCUMENT
ELECTRONICALLY FILED
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JAMES M. BURKE and BRADLEY
L. GROW, as the designated Sellers'
Representatives, under that certain
Agreement and Plan of Reorganization and
Merger by and between Eateries Holdings,
LLC, Eateries, Inc., Fiesta LLC, and the
members of Eateries Holdings, LLC,
on the one hand, and Hestia Holdings, LLC,
Eateries Merger Sub, Inc. and Fiesta
Merger Sub, Inc., on the other hand,
dated as of December 26, 2006,

Civil Action No.: 07-9909 (HB)

**STIPULATION EXTENDING THE
DEADLINE TO ADD NEW PARTIES**

Plaintiffs,

-against-

HESTIA HOLDINGS, LLC, *et al.*

Defendants.

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HESTIA HOLDINGS, LLC, *et al.*

Counterclaimants,

-against-

JAMES BURKE and BRADLEY L. GROW, *et al.*

Counterclaim Defendants.

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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned

attorneys on behalf of their respective clients, that the time within which new parties may be

joined in the above-captioned action shall be extended from May 15, 2008, up to and including

May 29, 2008.

*→ Keep in mind that all PTSO dates
other than this remain in full force & effect*

Dated: New York, New York
May 13, 2008

ENTWISTLE & CAPPUCCI LLP
Attorneys for Plaintiffs and Counterclaim
Defendants

By: 
WILLIAM S. GYVES
ROBERT M. TRAVISANO

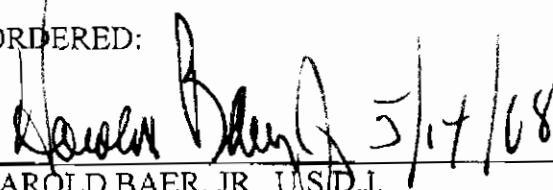
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By: 
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SO ORDERED:


5/17/08
HAROLD BAER, JR., U.S.D.J.